

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
-----X  
UNITED STATES OF AMERICA,

-against-

MEMORANDUM AND ORDER  
10-CR-674(S-2)(DRH)

TIMOTHY FAISON, a/k/a  
"SHABAZ,"

Defendant.

-----X  
A P P E A R A N C E S:

For the Government:

Loretta Lynch  
United States Attorney  
Eastern District of New York  
Central Islip, New York 11722  
By: Raymond A. Tierney, A.U.S.A.  
Tali Farhadian, A.U.S.A.

For Defendant:

Timothy Faison, Pro Se  
#76325-053  
Queens Detention Facility  
182-22 150<sup>th</sup> Avenue  
Jamaica, New York 11413

Leonard Lato, Esq.  
Stand-by Counsel  
320 Carlton Avenue  
Suite 4200  
Central Islip, New York 11722

HURLEY, Senior District Judge

The Court learned on July 20, 2012 that Timothy Faison ("Faison" or "defendant") has filed another post-verdict motion, this one via a letter dated May 21, 2012, in which he seeks a new trial pursuant to Federal Rule 33 of the Federal Rules of Criminal Procedure based "on new[ly] discovered evidence of perjury and false evidence giv[en] by the government's witness[es]." (Def.'s May 21, 2011 Letter at 1, docketed on

7/23/2012 as Docket Entry # 110.) The government filed its opposition by letter dated July 24, 2012. Defendant's Reply, if any, is to be filed on or before August 17, 2010.

SO ORDERED.

Dated: July 31, 2010  
Central Islip, New York

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DENIS R. HURLEY, U.S.D.J.